



DEPARTMENT OF TRANSPORTATION

4910-06-P

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

[Docket No. FRA 2012-0006-N-13]

AGENCY: Federal Railroad Administration (FRA), Department of Transportation

ACTION: Notice and request for comments

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and its implementing regulations, the Federal Railroad Administration (FRA) hereby announces that it is seeking renewal of the following currently approved information collection activities. Before submitting these information collection requirements (ICRs) for clearance by the Office of Management and Budget (OMB), FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Comments must be received no later than [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Office of Safety, Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 25, Washington, D.C. 20590, or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, "Comments on OMB control number 2130-_____" Alternatively, comments

may be transmitted via facsimile to (202) 493-6216 or (202) 493-6497, or via e-mail to Mr. Brogan at Robert.Brogan@dot.gov, or to Ms. Toone at Kimberly.Toone@dot.gov. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 25, Washington, D.C. 20590 (telephone: (202) 493-6292) or Ms. Kimberly Toone, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., S.E., Mail Stop 35, Washington, D.C. 20590 (telephone: (202) 493-6132). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION:

The Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. §§ 3501-3520), and its implementing regulations, 5 C.F.R. Part 1320, require Federal agencies to provide 60-days notice to the public for comment on information collection activities before seeking approval for reinstatement or renewal by OMB. 44 U.S.C. § 3506(c)(2)(A); 5 C.F.R. §§ 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (ii) the

accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (iii) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for FRA to minimize the burden of information collection activities on the public by automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses). See 44 U.S.C. § 3506(c)(2)(A)(I)-(iv); 5 C.F.R. § 1320.8(d)(1)(I)-(iv). FRA believes that soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information mandated by Federal regulations. In summary, FRA reasons that comments received will advance three objectives: (i) reduce reporting burdens; (ii) ensure that it organizes information collection requirements in a "user friendly" format to improve the use of such information; and (iii) accurately assess the resources expended to retrieve and produce information requested. See 44 U.S.C. § 3501.

Below is a brief summary of the currently approved ICRs that FRA will submit for clearance by OMB as required under the PRA:

Title: State Safety Participation Regulations and Remedial Actions

OMB Control Number: 2130-0509

Abstract: The collection of information is set forth under 49 CFR Part 212, and requires qualified state inspectors to provide various reports to FRA for monitoring and enforcement purposes concerning state investigative, inspection, and surveillance activities regarding railroad compliance with Federal railroad safety laws and regulations.

Additionally, railroads are required to report to FRA actions taken to remedy certain alleged violations of law.

Form Number(s): FRA F 6180.33/61/67/96/96A/109/110/111/112

Affected Public: Businesses

Respondent Universe: States and Railroads

Frequency of Submission: On occasion

Reporting Burden:

CFR Section	Respondent Universe	Total Annual Responses	Average Time per Response	Total Annual Burden Hours
Application For Participation	15 States	15 updates	2.5 hours	38 hours
Training Funding Agreement	30 States	30 agreements	1 hour	30 hours
Inspector Training Reimbursement	30 States	300 vouchers	1 hour	300 hours
Annual Work Plan	30 States	30 reports	15 hours	450 hours
Inspection Form (Form FRA F 6180.96)	30 States	16,000 forms	15 minutes	4,000 hours
Violation Report – Motive, Power, and Equipment Regulations (Form FRA F 6180.109)	17 States	550 reports	4 hours	2,200 hours

Violation Report – Operating Practices Regulations (Form FRA F 6180.67)	16 States	140 reports	4 hours	560 hours
Violation Report – Hazardous Materials Regulations (Form FRA F 6180.110)	15 States	170 reports	4 hours	680 hours
Violation Report – Hours of Service Law (F 6180.33)	16 States	35 reports	4 hours	140 hours
Violation Report – Accident/Incident Reporting Rules (Form FRA F 6180.61)	16 States	30 reports	4 hours	120 hours
Violation Report – Track Safety Regulations (Form FRA F 6180.111)	25 States	100 reports	4 hours	400 hours
Violation Report – Signal and Train Control Regulations (Form FRA F 6180.112)	14 States	20 reports	4 hours	80 hours
Remedial Actions Reports	563 Railroads	3,500 reports	15 minutes	875 hours
Violation Report Challenge	563 Railroads	700 challenges	1 hours	700 hours
Delayed Reports	573 Railroads	350 reports	30 minutes	175 hours

Total Responses: 21,970

Estimated Total Annual Burden: 10,748 hours

Type of Request: Extension of a currently approved collection

Title: Use of Locomotive Horns at Highway-Rail Grade Crossings

OMB Control Number: 2130-0560

Abstract: Under Title 49 Part 222 of the Code of Federal Regulations, FRA seeks to collect information from railroads and public authorities in order to increase safety at highway-rail grade crossings nationwide by requiring that locomotive horns be sounded when trains approach and pass through these crossings or by ensuring that a safety level at least equivalent to that provided by blowing locomotive horns exists for corridors in which horns are silenced. FRA reviews applications by public authorities intending to establish new or, in some cases, continue pre-rule quiet zones to ensure the necessary level of safety is achieved.

Form Number(s): N/A

Affected Public: Businesses

Frequency of Submission: On occasion

Respondent Universe: 728 railroads/340 Public Authorities

CFR Section	Respondent Universe	Total Annual Responses	Average Time Per Response	Total Annual Burden Hours
222.11 – Penalties – Falsified Report	728 Railroads/340 Public Authorities	1 report/record	2 hours	2 hours
222.15 – Waiver Petitions	728 Railroads/340 Public Authorities	5 petitions	4 hours	20 hours
222.17 – Application to Become Recognized State Agency	68 State Agencies	1 application	8 hours	8 hours
222.39 – Applications to Establish Quiet Zone - Diagnostic Team Rev. -- Updated Crossing Inventory Forms -- Copies of Quiet Zone Application -Comments to FRA on Quiet Zone Application	340 Public Authorities	10 applications	80 hours	800 hours
	340 Public Authorities	2 team reviews	16 hours	32 hours
	340 Public Authorities	50 updated forms	1 hour	50 hours
	340 Public Authorities	60 copies	10 minutes	10 hours
	715 Railroads/State Agencies	20 comments	2.5 hours	30 hours
222.43 – Written Notice of Public Authority Intent to Create New Quiet Zone and Notification to Required Parties -- Updated Crossing Inventory Forms	216 Communities/ Public Authorities	30 notices + 90 notifications	40 hours + 10 minutes	1,215 hours
	216 Communities	150 updated forms	1 hour	150 hours

Comments on proposed Quiet Zone -- Notice of Quiet Zone Establishment + Notification to Required Parties -- Updated Crossing Inventory Forms -- Certification by CEO of Public Authority Regarding Accuracy of Information	715 Railroads/State Agencies	60 comments	4 hours	240 hours
	316 Public Authorities	30 notices + 180 notifications	40 hours + 10 minutes	1,230 hours
	316 Public Authorities	150 updated forms	1 hour	150 hours
	216 Public Authorities	30 certifications	5 minutes	3 hours
222.47 – Periodic Updates: Written Affirmation that Supplementary Safety Measures Implemented w/in Quiet Zone Conform to Rule or Terms of Approval -- Updated Crossing Inventory Forms	200 Public Authorities	70 written affirmations + 420 copies (to required parties)	30 minutes + 2 minutes	70 hours
	200 Public Authorities	350 updated forms	1 hour	350 hours
222.51 – Written Commitment to Lower Risk to Traveling Public in Quiet Zones Exceeding Nationwide Significant Risk Threshold -- Comments Upon FRA Review of Quiet Zone Status	9 Public Authorities	5 written commitments	5 hours	25 hours
	3 Public Authorities	4 comments	30 minutes	2 hours
222.55 – Request for FRA Approval of New Supplementary Safety Measures or Alternative Safety Measures (ASMs) for Quiet Zone -- Comments on New SSMs or ASMs - Request for SSM/ASM Approval – Demo.	265 Interested Parties	1 letter	30 minutes	1 hour
	265 Interested Parties/ General Public	5 comments	30 minutes	3 hours
	265 Interested Parties	1 letter	30 minutes	1 hour
222.57 – Petition for FRA Review of Decision Granting or Denying a New SSM or ASM; Petition Copies to Relevant Parties -- Request for FRA Reconsideration of Disapproval of Quiet Zone + Party Copies -- Additional Documents to FRA as Follow-up to Petition for Reconsideration -- Letter Requesting FRA Informal Hearing	265 Public Authorities/ Interested Parties	5 petitions + 5 petition copies	60 minutes + 2 minutes	1 hour
	200 Public Authorities	1 letter + 6 letter copies	5 hours + 2 minutes	5 hours
	200 Public Authorities	1 additional document/ set of materials	2 hours	2 hours
	200 Public Authorities	1 letter	30 minutes	1 hour
222.59 – Written Notice of Use of Wayside Horn at Grade Crossing within Quiet Zone + Party Copies	200 Public Authorities	5 notices + 30 notice copies	2.5 hours + 10 minutes	18 hours

- Notice of Wayside Horn Outside Q. Zone	200 Public Authorities	5 notices + 30 notice copies	2.5 hours + 10 minutes	18 hours
Appendix B – Public Authority Record Relating to Monitoring and Sampling Efforts at Grade Crossing in Quite Zone with Programmed Enforcement	200 Public Authorities	1 record	500 hours	500 hours
– Public Authority Record Relating to Monitoring and Sampling Efforts at Grade Crossing in Quite Zone with Photo Enforcement	200 Public Authorities	1 record	9 hours	9 hours
222.129 – Written Reports/Records of Locomotive Horn Testing	728 Railroads	650 reports/records	60 minutes	650 hours

Total Estimated Responses: 2,466

Total Estimated Annual Burden: 5,596 hours

Status: Regular Review

Pursuant to 44 U.S.C. 3507(a) and 5 C.F.R. §§ 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. §§ 3501-3520.

Issued in Washington, D.C. on September 18, 2012.

Rebecca Pennington
Chief Financial Officer
Federal Railroad Administration

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